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July 26, 2002

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, 2nd Floor
Boston, MA 02110

RE: D.T.E. 01-20

Dear Secretary Cottrell:

Verizon Massachusetts (“Verizon MA”) hereby responds to the Comments and Cross-Motion filed by WorldCom, Inc. (“WorldCom”) with regard to the compliance phase in the above-referenced matter. As described below, Verizon MA’s Motion filed on July 23, 2002 and its Comments filed on July 25, 2002, address WorldCom’s comments.

WorldCom’s fundamental concern with Verizon MA’s July 23rd Motion was that if the filing date for new UNE rates is extended “it is not at all clear when these new rates (which, by their description are expected to be lower than the current Massachusetts rates) will be effective” (WorldCom Comments at 2). WorldCom argues that, to remedy the possible delay in the effective date, the Department should order the immediate implementation of interim rates based on the rates in effect in New York (*id.* at 4-7).

The actions suggested by WorldCom are unnecessary in view of Verizon MA’s Comments filed on July 25th.¹ In that filing, Verizon MA clarified its July 23rd Motion by stating that new UNE rates would be effective on August 5, 2002 by truing up the rates filed on September 9th with the old rates (Verizon MA Comments at 3). Thus, the granting of the extension for the compliance filing will not prejudice WorldCom or other CLECs, who will be charged the new UNE rates retroactive to August 5, 2002.² Moreover, the attempt to implement another state’s rates and rate design for a one-month period would be inappropriate. The New York rates are based on New York costs and because the design of the rates is not identical with those in Massachusetts, they could not be imported to the billing structure without change. Any attempt to make the “systems” changes necessary to implement New York-based interim rates,

¹ WorldCom had not received Verizon MA’s Comments when WorldCom filed its comments with the Department.

² Indeed, the tariffs that will be filed on September 9, 2002, will be labeled with an August 5, 2002 “effective date.”

while simultaneously attempting to implement new compliance rates a month later would likely result in errors and slow down the effort to prepare the comprehensive compliance filing. Accordingly, WorldCom's proposal must be rejected by the Department.

Nonetheless, in order to be responsive to WorldCom's comments with regard to switching rates (WorldCom's Comments at 4), Verizon MA would, with Department approval, file estimated UNE switching rates on August 5, 2002 for immediate implementation. These estimated rates would incorporate Department-ordered changes in the cost of switching investments only (including the technology mix and Department's requirement that Verizon MA "use a blend of 90 percent new switches and ten percent growth switches" (*id.*, citing Department Order at 302)). Because of the limited time needed to prepare the estimates, they would not reflect other changes that result from the Department's Order. Verizon MA's September 9th full compliance filing will include the rates for these UNEs (as well as all the other UNEs), which will incorporate the other aspects of the Department's Order. As described above, the rates submitted on September 9th will be filed for effect as of August 5, 2002, and will be trued-up to that date.

Accordingly, Verizon MA requests that the Department: (1) extend the date for the compliance filing to September 9, 2002; (2) extend the date for filing for reconsideration of the Department's Order to September 30, 2002; and (3) extend the judicial appeal period to a date 20 days after the final Department decision on reconsideration.

Thank you for your attention to this matter.

Very truly yours,

Bruce P. Beausejour

Enclosures

cc: Tina Chin, Esquire, Hearing Officer
Marcella Hickey, Esquire, Hearing Officer
Michael Isenberg, Esquire, Director - Telecommunications Division
Attached D.T.E. 01-20 Service List